



# Weight Limit Posting Workshop

- Inspector Andrew Quenneville
- Vermont DMV
- Commercial Vehicle Enforcement



Protecting the Infrastructure

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- Town highways shall be under the general supervision and control of the selectmen of the town where the roads are located. Selectmen shall supervise all expenditures.

## 19 V.S.A. § 303 Town Highway Control



- (a) A person or corporation owning or operating a traction engine, tractor trailer, motor truck, or other motor vehicle that desires to operate it in excess of the weight limits provided in this subchapter over highways and bridges under the jurisdiction of a municipality with the exception of class 1 town highways and subject to the provisions of subsection 1400(c) of this title shall make application for a permit to the appropriate legislative body, or its designee.

- 23 V.S.A. § 1400a. Special local highway and bridge limits; reimbursement for damages; special permits Filing of restrictions, publication

- (b) The application form for such a permit shall be of a uniform type, and shall be developed by the Commissioner of Motor Vehicles, after consulting with municipal officials and representatives of the State's trucking industry.

- 23 V.S.A. § 1400a. Special local highway and bridge limits; reimbursement for damages; special permits Filing of restrictions, publication

- (c)(1) The selectboard, trustees, or the mayor are authorized to accept for the municipality compensation commensurate with the extra wear or maintenance required on the highway traveled over or on any bridge by reason of the overweight allowed by any permit approved by them or any exemption provided under section 1400d of this title, which shall be used for the maintenance of highways and bridges within the town, village, or city. The following factors, at a minimum, shall be taken into consideration when determining the amount of compensation due:
  - (A) the amount of weight allowed in excess of the normal limit;
  - (B) the configuration and number of axles of the vehicle involved;
  - (C) the number and length of trips the vehicle will be making;
  - (D) the condition of the highway before and after use by the vehicle, and costs associated with any needed repair.

23 V.S.A. § 1400a. Special local highway and bridge limits; reimbursement for damages; special permits Filing of restrictions, publication

- (c) (2) If the agreement for the compensation to be paid is in writing, failure on the part of the applicant to pay the sum or sums agreed upon shall be sufficient cause for the selectboard, trustees, or mayor to withdraw approval for the permit. A fee not in excess of \$5.00 may be charged for the written approval of a municipality furnished under this section.

- 23 V.S.A. § 1400a. Special local highway and bridge limits; reimbursement for damages; special permits Filing of restrictions, publication

- (d) A \$5.00 fee for administration of permits imposed under this section shall be for the period expiring March 31 of each year. As an alternative, upon payment of an administrative fee of \$10.00, an applicant may obtain a permit to operate all of his or her registered vehicles in that municipality, under the conditions of the permit, for the period of the permit. In the event a fleet permit is obtained, individual permits need not be carried in each vehicle permitted.

- 23 V.S.A. § 1400a. Special local highway and bridge limits; reimbursement for damages; special permits Filing of restrictions, publication



DORR TRUCKING  
MC 651922  
WV 977827

STAIRS  
TRAILERS

STAIRS  
TRAILERS

SLIMLINE

SAFETY

925-6802

- (a) Any municipality which has enacted special weight limits which are other than State legal limits for highways or bridges within its jurisdiction shall file a complete copy of the limitations with the Department of Motor Vehicles not later than February 10 of each year. The information filed shall contain a concise listing of each highway or bridge posted, the time of the year the restrictions apply, weight limitations in effect on that highway or bridge, and the name, address, and telephone number of the principal person or persons responsible for issuing the local permit. Additions or deletions to the listing may be made from time to time, as required, by filing with the Department.

23 V.S.A. § 1400b Filing of restrictions, publication

- (b) Any special municipal weight limits on highways or bridges shall be unenforceable unless they are on file with the Department of Motor Vehicles within three working days of the date of posting. It shall be the responsibility of the municipality to keep records documenting the time and date a highway or bridge is posted, and to keep current restrictions on file with the Department. The Department may prescribe the format which is to be used when filing restrictions under this section.

23 V.S.A. § 1400b Filing of restrictions, publication

- (c) The Department shall publish, on an annual basis, a list of municipal highways or bridges and their current weight limits. This publication shall be based on the information submitted by the municipalities under subsection (a) of this section, as well as information available through the Agency of Transportation, and shall be available to the public, at a charge not in excess of \$25.00, on or before April 1 of each year.

23 V.S.A. § 1400b Filing of restrictions, publication

- (d) The Department shall also publish, on a quarterly basis, a periodic update of current weight limits for municipal highways and bridges, and shall make that available to the general public at a cost of not more than \$5.00.
- (e) Any person may request information on specific municipalities from the Department, and shall pay the Department a fee of \$3.00 per request. A single request shall be made for information on each municipality. In the event nothing is filed by a particular municipality, the Department shall provide that information, in written form, and charge the \$3.00 fee.
- (f) The Commissioner may require prepayments for information requested pursuant to this section. (Added 1993, No. 186 (Adj. Sess.), § 7, eff. Jan. 1, 1995.)

## 23 V.S.A. § 1400b Filing of restrictions, publication

- When a town bridge or highway is posted for State limits, the gross weight limits on town highways and bridges shall be the weight allowed by the State, including any additional weight allowed by permit. (Added 1993, No. 186 (Adj. Sess.), § 8.)

23 V.S.A. § § 1400c. Gross limits on town highways and bridges

STATE OF VERMONT  
AGENCY  
OF  
TRANSPORTATION  
WEIGH STATION



- (a) An agricultural service vehicle, as defined in subdivision 4(71) of this title, shall be exempt from the provisions of sections 1400 and 1400a of this title if the gross weight does not exceed 60,000 pounds.
- (b) Municipalities shall not be liable for injuries or damages to agricultural service vehicles or their operators that result from crossing a posted bridge with an agricultural service vehicle that weighs more than the posted weight limit.

23 V.S.A. § § 1400d. Agricultural service vehicles

- "Agricultural service vehicle" means a motor truck that shall be registered under subsection 367(a) of this title, and is used for the purpose of transporting to or from a farm:
- (A) agricultural inputs, including lime, fertilizer, commercial feed, or forages; or
- (B) agricultural outputs, including milk, vegetables, fruit, horticultural crops, forages, or livestock.
- (Agriculture Plate)

23 V.S.A. § § 1400d. Agricultural service vehicles



- (a)(1) On all highways in a city, the legal load shall be as prescribed for the State Highway System in section 1392 of this title, unless otherwise restricted and posted by the local authorities as provided in this subchapter.

23 V.S.A. § § 1393. Weight limits in cities; adoption by towns or incorporated villages of State limits

- (2) With the approval of the Secretary of Transportation, the legislative body of a town or incorporated village may designate any highway under its jurisdiction to carry the same legal load as specified in section 1392 of this title for the State Highway System. When a certain highway has been so approved by the Secretary and the legislative body as to the legal load limit, then the Secretary shall have the highway posted for the legal load limit.

23 V.S.A. § § 1393. Weight limits in cities; adoption by towns or incorporated villages of State limits

- (3) Except as provided in subdivision 1392(1) of this title, State Highway System weight limits as specified in section 1392 of this title shall apply to class 1 town highways.

23 V.S.A. § § 1393. Weight limits in cities; adoption by towns or incorporated villages of State limits

- (a) When the weight limit on a highway or bridge has been adjusted by the Secretary of Transportation, the selectboard of a town, the trustees of an incorporated village, or the city council of a city, as to the legal load limit, then the Secretary, selectboard, trustees, or city council shall have each restricted highway or bridge posted for the legal load limit permitted. The notices shall be of a permanent nature and shall be placed at each end of each restricted highway in each town, village, or city affected or on the approaches to each restricted bridge. The notices shall state the legal load limit permitted to be operated over the highway or bridge.
- (b) The notices specified in subsection (a) of this section may be omitted when the restricted highway is a class 4 town highway or a class 3 town highway serving only one residence.

## 23 V.S.A. § § 1397. Signs



# Signage

- Regulatory signs and warning signs shall not be installed on the same post assembly.
- Care should be taken to install signs at the proper height (5 feet minimum, as measured from bottom of sign to edge of pavement – not the ground. If parking or pedestrian movements occur, the appropriate height is 7 feet.).



# Reporting to DMV

- All Vermont municipalities are required to file a report with the Vermont DMV of special weight limits for highways and bridges within their jurisdiction. Find a concise listing of each highway or bridge posted, weight limitations in effect, and the time of the year restrictions apply. Contact information is also provided for the individual(s) responsible for issuing local permits, if required.
- <https://dmv.vermont.gov/mydmv/town-highways-bridges-weight-restrictions>

# Reporting to DMV

- Any special municipal weight limits on highways or bridges are unenforceable unless the municipality has filed a report of special weight limits with the Vermont Department of Motor Vehicles within 3 working days of the date of the weight limit posting. It is the responsibility of the municipality to keep records documenting the time and date a highway or bridge is posted, and to keep current restrictions on file with the Vermont DMV. **Failure of a municipality to file this information with the Vermont DMV results in such postings being null and void.**

# Reporting to DMV

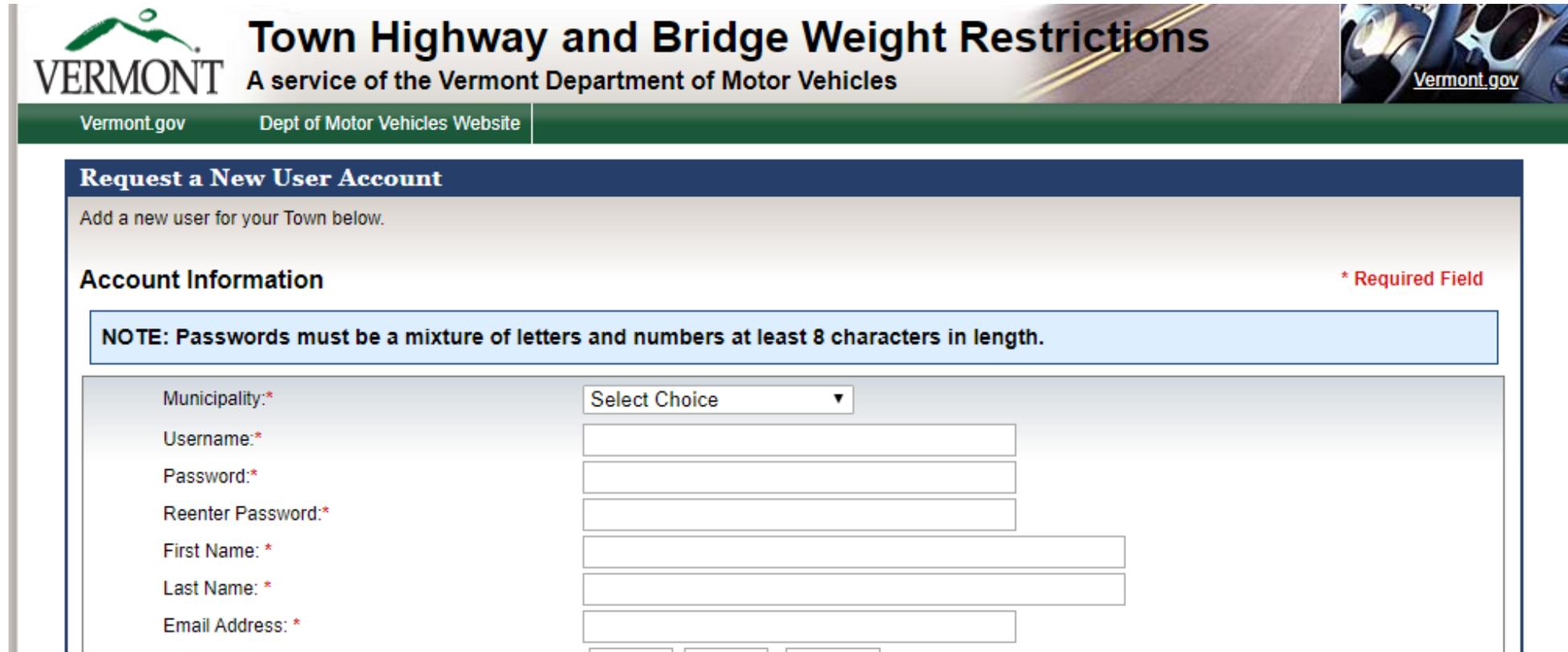
- If the municipality has not filed a report or if the report presently on file with this department is for a year ending prior to the current date any weight limit restrictions/postings made by that municipality are invalid.

# Reporting to DMV

- Please note that those municipalities that have filed a current, unexpired report with the Vermont DMV appear in the listing with a link to their completed report. Those municipalities that are linked to blank report or an expired report do not currently have highways/bridges that have legally posted weight limits.
- All Municipal Highways & Bridges Weight Limit Records that are currently on file with the Vermont DMV are available for viewing/printing.

# Reporting to DMV

- <https://secure.vermont.gov/DMV/restrictions/filing/register>



 **Town Highway and Bridge Weight Restrictions**  
A service of the Vermont Department of Motor Vehicles

Vermont.gov Dept of Motor Vehicles Website

### Request a New User Account

Add a new user for your Town below.

#### Account Information \* Required Field

**NOTE: Passwords must be a mixture of letters and numbers at least 8 characters in length.**

Municipality:*	Select Choice ▾
Username:*	<input type="text"/>
Password:*	<input type="password"/>
Reenter Password:*	<input type="password"/>
First Name: *	<input type="text"/>
Last Name: *	<input type="text"/>
Email Address: *	<input type="text"/>

# Reporting to DMV



## Town Highway and Bridge Weight Restrictions

A service of the Vermont Department of Motor Vehicles



Vermont.gov

Dept of Motor Vehicles Website

### DMV Town Highway and Bridge Weight Restrictions

Any municipality which has enacted special weight limits which are other than state legal limits for highways or bridges within its jurisdiction must file a complete copy of the limitations with the Department of Motor Vehicles no later than February 10th of each year.

**Please Note:** Any special municipal weight limits on highways or bridges shall be unenforceable unless they are on file with the Department of Motor Vehicles within three working days of the date of posting. It is the responsibility of the municipality to keep records documenting the time and date a highway or bridge is posted, and to keep current restrictions on file with the DMV.

#### Login Information:

Username:

Password:

Submit

Passwords expire every 6 months. You will be prompted to change your password when it expires.  
Usernames and Passwords are case-sensitive.

#### State Weight Limits:

- 16,000 pounds upon any bridge with a wooden floor, wooden subfloor, or wood stringers on a class 3 or 4 town highway or 20,000 pounds on a bridge with a wood floor, woode subfloor, or wood stringers on a class 1 or 2 town highway unless posted by the selectman of such town.
- 24,000 pounds upon a class 2, 3, or 4 town highway or bridge with other than wood floor, in any town, incorporated village, or city.
- No vehicle may exceed a gross weight in excess of 80,000 pounds unless the operator or owner of the vehicle has complied with the provisions of Title 23 section §1400.

#### Need Help?

If you have any questions regarding this service, please contact the Department of Motor Vehicles at (802) 828-2064.



STATE OF VERMONT  
AGENCY  
OF  
TRANSPORTATION  
WEIGH STATION

No Parking

DMV  
POLICE

# Reporting to DMV

12 Total Restrictions

Town of: Pittsford

MUNICIPALITY	TYPE	YEAR	NUMBER	ROAD NAME	START DATE	END DATE	
Pittsford	Highway	2019	45	TH45	2019-02-20	2019-05-15	<a href="#">DETAILS</a>
Pittsford	Bridge	2019	20	BRANDON T/L	2019-02-20	2019-05-15	<a href="#">DETAILS</a>
Pittsford	Highway	2019	28	TH 3	2019-02-20	2019-05-15	<a href="#">DETAILS</a>
Pittsford	Highway	2019	40	TH 45	2019-02-20	2019-05-15	<a href="#">DETAILS</a>
Pittsford	Bridge	2019	45	TH 45	2019-02-20	2019-05-15	<a href="#">DETAILS</a>

# Reporting to DMV

## Highway and Bridge Weight Restrictions Details

### Town Highway and Bridge Weight Restriction Information

Municipality:	Pittsford
Filing Year:	2019
Restriction Type:	Highway
Bridge Number:	
Highway Number:	45
Start Date:	2019-02-20
End Date:	2019-05-15
Status:	Inactive

# Reporting to DMV

## Weight Limit

2 Axle Weight Limit:	15,000 lbs
3 Axle Weight Limit:	18,000 lbs
4 Axle Weight Limit:	20,000 lbs
5 Axle Weight Limit:	0 lbs
6 Axle Weight Limit:	0 lbs
Maximum Allowable Weight:	0 lbs

# Reporting to DMV

## Permits, Fees, and Instructions

Town Permit Required:	Yes
Town Fees Required:	Yes
Permit Available:	Yes
Special Instructions or Other Info:	



# Permits

- [https://dmv.vermont.gov/sites/dmv/files/documents/CV O-108-Uniform Municipal Excess Weight Permit.pdf](https://dmv.vermont.gov/sites/dmv/files/documents/CV%20O-108-Uniform%20Municipal%20Excess%20Weight%20Permit.pdf)

# Permits

Vermont Agency of Transportation  
Department of Motor Vehicles  
Uniform Municipal Excess Weight Permit

(Municipality)

Fleet

Single Vehicle

Approval is hereby given for the granting of a permit under the provisions of VSA Title 23, Sec. 1400a, and any amendments thereto, covering the operations of motor vehicles over local highways and bridges with gross loads as follows:

Registrant: \_\_\_\_\_

Address: \_\_\_\_\_  
Street/Road City State Zip

Contact: \_\_\_\_\_ Phone: \_\_\_\_\_

Type of Vehicles	# of Axles	Product Carried	Max. Weight Requested	Max Weight Approved
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Approved for the following highways (list may be attached): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

The following restrictions apply (list may be attached): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

This approval shall be effective for no more than a one-year period ending March 31, \_\_\_\_\_. If a fleet permit, this approval covers all vehicles bearing the registrant's name. If the permit is to cover unmarked company trucks, please attach a list to this form giving the year, make, VIN number, maximum weight and registration number.

The holder of a permit shall be liable for any damage to highways or bridges per VSA Title 23, Sec. 1400a © and is required to furnish the municipality a valid Certificate of Insurance in the following amounts: a minimum of \$100,000/\$300,000 Personal Injury Liability Coverage and \$100,000 Property Damage Coverage.

Approved: \_\_\_\_\_ Title: \_\_\_\_\_ Date: \_\_\_\_\_

# Permits

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## Instructions for Applicant

1. Permit is valid for up to one year, expiring on March 31.
2. Please include an administrative fee of \$5.00 for each single vehicle application, or \$10.00 for a fleet permit:
  - a. A municipal permit fee of \_\_\_\_\_.
3. Single vehicle permits must be carried in the permitted truck. Fleet permits are not required to be carried in the trucks.
4. Please use the following codes:

Type of Vehicle		Products	
TK	Truck	A	All Products
TR	Tractor		
TT	Tractor Trailer	M	Unprocessed Milk Products

## Instructions for Municipality

1. You may attach a copy of approved highways and/or restrictions to this form.
2. A Vermont blanket permit is not required for issuance of Municipal Excess weight permits.
3. Special weight limits which are higher or lower than legal limits for highways or bridges within your jurisdiction must be on file with the Vermont department of Motor Vehicles as outlined in 23 V.S.A. §1400b.



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JEWELL  
RESOURCES INC.  
Channahon, MI

ISX MP08 300HP

STATE OFFICER

DMV

POLICE

HIGHWAY SAFETY

SLIMLINE

WAGNER

WAGNER

WAGNER

WAGNER

# Enforcement



# Enforcement

- 1. DMV will not enforce local weight limits unless we are asked for assistance from the governing board (ie: select board, road foreman, highway superintendent, town manager, mayor, etc.).

# Enforcement

- 2. Any posted road that differs from statutory limits must be on file with DMV.

# Enforcement

- 3. Any town highway leading off a state highway must be posted with a 24,000 lbs. legal load limit sign which is provided by the state.

# Enforcement

- 4. Every road that is not a dead end must be posted on both ends, unless the road leading to an end is already posted with the same weight limit. A person operating an overweight vehicle must have had to pass a legal load limit sign to be in violation.



# Mud Season





# Mud Season

- The selectboard of a town is authorized by 19 V.S.A. §§ 303 and 1110 to restrict the use of a town highway or even close that highway for a period of time when necessity demands. Selectboards frequently use this authority to prevent damage that might otherwise occur to a town highway during mud season. This authority is not seasonal, however; the selectboard may restrict or close a highway at any time when conditions are such that the traveling public, or the highway itself, might suffer harm caused by vehicles.



# Mud Season

- To restrict or temporarily close a town highway, a selectboard must pass a resolution at a duly warned open meeting. An example of such a resolution is as follows:



# Mud Season

- RESOLUTION FOR TEMPORARY CLOSURE of [insert name of town highway] [insert name of town], VERMONT WHEREAS the present conditions on [insert name of highway] are such that the traveling public, or the highway itself, might suffer harm caused by vehicular use of that highway due to [insert reason such as “excessive mud,” “erosion from recent storm,” etc.], and WHEREAS, the [insert name of town] Selectboard is authorized under 19 V.S.A. §§ 1110, 23 V.S.A. § 1112 and 24 V.S.A. § 2291(4), to regulate the use of motor vehicles on town highways and to adopt rules to restrict the use of town highways, NOW THEREFORE, the [insert name of town] Selectboard does RESOLVE that motor vehicle travel on [insert name of town highway] shall be [insert “prohibited” if the highway is to be closed; otherwise, insert restriction such as “prohibited except for travel by residents”] from [insert dates/times of closure]. DATED [insert date] Signed [insert signatures].



# Mud Season

- Notice of the restriction or closure must be posted in at least two public places in town and signs provided by the Agency of Transportation must be “conspicuously placed” at each end of the portion of the highway that is restricted. 19 V.S.A. § 1110. The Municipal Assistance Center recommends as a best practice that the town maintain documentation of the time and date that a highway or bridge is posted for a seasonal restriction or closure and keep this documentation on file with the Vermont Department of Motor Vehicles (DMV), even though such documentation is not explicitly required in statute. The selectboard may also have physical barriers placed in the highway to prevent travel as long as those barriers are clearly visible and are accompanied by clear signage. 23 V.S.A. § 1112.



# Mud Season

- The penalty for violating a road closure is set by statute and therefore a town may not alter that penalty. Nineteen V.S.A. § 1110 states that “A person who violates these rules shall be guilty of a traffic offense under 23 V.S.A. chapter 23, for which he or she shall be fined not more than \$100.00, and shall be liable to the State or town in which the damage is done for all damages to the highway to be recovered in a civil action.” This means that the person who is found to be in violation may be issued a traffic ticket by a law enforcement officer. In addition to that ticketing process, the town may sue the person in small claims court or superior court for the cost of repairing the damage caused to the road. A town may also recover the cost of aiding a stranded operator or moving a disabled vehicle that has been operated on a closed highway. 23 V.S.A. § 1112(c).



# Mud Season

- A selectboard may also lower the allowable weight limits on a town highway or bridge at any time, provided that it follows statutory process. Maximum allowable weight limits on highways and bridges are set by 23 V.S.A. § 1392. However, a selectboard may set lower limits on any of its class 2, 3, and 4 town highways or bridges based on its judgment of the best interest of the town. 23 V.S.A. § 1396. It is sometimes in the best interest of a town to lower weight limits on certain highways during mud season (or at other times) when operation by heavy vehicles might otherwise cause significant ruts or structural problems to the highway.



# Mud Season

- Local weight limits are set when the selectboard passes a resolution on the subject at a duly warned open meeting. In addition, the town must follow the procedures in 23 V.S.A. §§ 1397, 1400b. Specifically, signs giving notice of the limits must be posted at each end of each restricted highway or on the approaches to each restricted bridge. 23 V.S.A. § 1397. The town must also maintain documentation of the time and date a highway or bridge is posted, and keep all current restrictions on file with the DMV. Weight limits must be filed with the DMV within three working days of the date of posting in order to be enforceable. In addition, the town must annually file a “complete copy of the limitations” with the DMV not later than February 10 of each year. 23 V.S.A. § 1400b. Once conditions improve and the selectboard decides it is appropriate to raise the weight limits, it must go through the entire process of passing a resolution to change the local limit, posting the road, and notifying the DMV.



# Mud Season

- Certain vehicles are exempt from locally imposed weight restrictions, even when those weight limits are imposed to protect roads during mud season. The vehicles that are exempt include state and municipal fire-fighting and construction machinery as well as “agricultural service vehicles” that weigh less than 60,000 pounds.



# Mud Season

- An “agricultural service vehicle” is defined as “a motor truck” that is registered with the DMV and “is used for the purpose of transporting to or from a farm either: (A) agricultural inputs, including lime, fertilizer, commercial feed, or forages; or (B) agricultural outputs, including milk, vegetables, fruit, horticultural crops, forages, or livestock.” 23 V.S.A. § 4(71). Vehicles that fit such definition do not have to abide by local weight limits, even if they are set specifically to protect a highway during mud season.



# Mud Season

- Outside of the above exemptions, the operation of a vehicle in excess of the posted weight limit of a town highway without a permit is a statutory traffic violation for which the operator may be issued a state traffic ticket from a law enforcement officer. The penalties for violation of weight limits are established in 23 V.S.A. § 1391a and may not be changed by the municipality. In addition to that ticketing process, the town may sue the offender in small claims court or superior court for the cost of any damage caused to the road.



3A

Kenworth

Kenworth Trucking  
Kenworth, Inc.  
115001-1500-002

DMV  
POLICE

SLIMLINE

HIGHWAY SAFETY

DMV

POLICE

STATE OFFICER

- **(Cite as: 19 V.S.A. § 958)**
- **§ 958. Laying out roads for removal of lumber**
- If it becomes necessary for the practical removal of lumber, wood, or other material to pass through the lands of a person other than those of the owner of the land from which the lumber, wood, or other material is to be removed, the selectboard may lay out a right-of-way through the land of any person for these purposes. The selectboard shall follow the procedures established by section 923 of this title.

•§ 923. Quasi-judicial process

- In order to protect the rights of interested persons and the public, the process described in this section shall be used whenever so provided by other provisions of this title. As used in this section, “interested person” means a person who has a legal interest of record in the property that would be affected by the proposed action.
- (1) Notice. The selectboard shall give written notice by certified mail or by one of the methods allowed by Rule 4 of the Vermont Rules of Civil Procedure for service of original process to any interested person describing the proposed activity affecting the property. The notice shall include a date and time when the selectboard shall inspect the premises. The notice shall precede the inspection by 30 days or more except in the case of an emergency.
- (2) Inspection of premises. The selectboard shall view the area and receive any testimony pertinent to the problem, including suggested awards for damages, if any.
- (3) Necessity. The selectboard shall decide on the necessity for the activity or work proposed and establish any conditions for accomplishing it. This includes the award of damages, if applicable. The selectboard shall announce the decision and the reason for it within 10 days of the inspection unless the selectboard formally delays the proceeding in order to receive more testimony.
- (4) Notifying parties. The selectboard shall notify the interested persons and other interested parties of its decision. It shall file a copy of its decision with the town clerk within 10 days of its announcement.
- (5) Appeal. If an interested person is dissatisfied with the award for damages, he or she may appeal using any of the procedures listed in chapter 5 of this title. Notice or petition for appeal shall not delay the proposed work or activity.

- **(Cite as: 19 V.S.A. § 717)**
- **§ 717. Evidence of highway completion or discontinuance**
- (a) The lack of a certificate of completion of a highway shall not alone constitute conclusive evidence that a highway is not public.
- (b) A town or county highway that has not been kept passable for use by the general public for motorized travel at the expense of the municipality for a period of 30 or more consecutive years following a final determination to discontinue the highway shall be presumed to have been effectively discontinued. This presumption of discontinuance may be rebutted by evidence that manifests a clear intent by the municipality or county and the public to consider or use the way as a highway. The presumption of discontinuance shall not be rebutted by evidence that shows isolated acts of maintenance, unless other evidence exists that shows a clear intent by the municipality or county to consider or use the highway as if it were a public right-of-way.
- (c) A person whose sole means of access to a parcel of land or portion thereof owned by that person is by way of a town highway or unidentified corridor that is subsequently discontinued shall retain a private right-of-way over the former town highway or unidentified corridor for any necessary access to the parcel of land or portion thereof and maintenance of his or her right-of-way.

Questions?



Contact info:

CVO 802-828-2064

[Andrew.Quenneville@vermont.gov](mailto:Andrew.Quenneville@vermont.gov)